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THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Philipp H. Nagel

GROUP:

3661

SERIAL NO:

10/037,303

EXAMINER: Dalena Tran

FILED:

November 7, 2001

FOR:

APPARATUS AND METHOD FOR CREATING

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A NAVIGATION MAP

DEC 0 2 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 OFFICE OF PETITIONS

DEC 14 2004

Sir:

REQUEST TO WITHDRAW HOLDING OF ABANDONMENT GROUP 3600

IN THE ALTERNATIVE A PETITION TO REVIVE AN UNITENTIONALLY ABANDONED APPLICATION

Withdrawal of the status of abandonment for the above identified application is respectfully requested.

Attached as Exhibit A is a copy of a Response filed with the USPTO on January 21, 2004 in response to the Official Action dated October 21, 2003. The Response included a certificate of first class mailing. A copy of a postcard that accompanied the Response is enclosed as Exhibit B.

Yesterday the undersigned performed a status check on the above identified application and learned from the PAIR system (see Exhibit C) that this application had gone abandoned for allegedly not responding to the Official Action dated October 21, 2003. However, as shown in Exhibit A, a Response was submitted to the USPTO on January 21, 2004. We did not receive a stamped postcard back from the USPTO evidencing the USPTO's receipt of the Response. Accordingly, since the

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being deposited on Tuesday, November 23, 2004 with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissia and Trademarks, P.O. Box 1450 Alexandria, VA

Response was timely filed with a certificate of mailing on January 21, 2004 addressed to the USPTO,

withdrawal of the Notice of Abandonment is respectfully requested.

PETITION IN THE ALTERNATIVE

In the alternative, if the Request to Withdraw a Holding of Abandonment is not granted, a

Petition to Revive an Unintentionally Abandoned application under 37 C.F.R. §1.137(b) is

respectfully submitted. As set forth above, a Response was submitted to the USPTO on January 21,

2004. Yesterday the undersigned learned that the application had gone abandoned for allegedly not

responding to the Official Action dated October 21, 2003. The entire delay in filing this Request was

unintentional. Accordingly, in the event that the request to withdraw the holding of abandonment is

not granted, a petition is hereby presented to revive an unintentionally abandoned application.

If a petition to revive an unintentionally abandoned application is required, please charge

Deposit Order Account 19-0079 in the amount of \$1,370.

If a telephone interview could assist in the prosecution of this application, please call the

undersigned attorney.

Respectfully submitted,

Patrick J. O'Shea

Registration No. 35,305

Gauthier & Connors LLP

225 Franklin Street, Suite 3300

Boston, Massachusetts 02110

Telephone: (617) 426-9180

Extension 121

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	n January 21, 2004	Westphal.6474
U.S. Pate APPARA	please find the following in re: ant Appln. Serial No. 10/037,303 ATUS AND METHOD FOR CREATING A ATION MAP	
1)	Response	This Paper Was Received By PTO On:
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. 10/037,303 Appara	itus and method for crea	ting a navigation map	
Application Transaction Col Data History (ntinuity Foreign Publis Data Priority Docum	hed Publication ents Dates	
Application Number:	10/037,303	Customer Number:	-
Filing or 371 (c) Date:	11-07-2001	Status:	Aband Office A
Application Type:	Utility	Status Date:	07-12-
Examiner Name:	TRAN, DALENA	Location:	FILE RE
Group Art Unit:	3661	Location Date:	07-15-

SUBMIT

Earliest Publication No:

Patent Number:

Issue Date of Patent:

Earliest Publication Date:

The Patent Electronic Business Center is available to assist with PAIR questions at (866) 217-919

Apparatus and method for creating a navigation map

Philipp Nagel, Seevetal,

4511

6474

(DE)

701/208

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